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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 23-CR-00140 RS  
Plaintiff, )  
v. ) STIPULATION AND [PROPOSED] ORDER  
JAPHETH DILLMAN, ) EXCLUDING TIME UNDER THE SPEEDY TRIAL  
Defendant. ) ACT  
 )  
 )

On May 9, 2023, an Indictment was filed charging Defendant Japheth Dillman with one count of wire fraud conspiracy, in violation of 18 U.S.C. § 1349, and with four counts of wire fraud, in violation of 18 U.S.C. § 1343. Dkt. 28. On December 27, 2023, the Court appointed current defense counsel in place of the defendant's former counsel. Dkt. 43. On April 7, 2025, the Court (the Honorable James Donato) set the matter for trial starting December 1, 2025. Dkt. 58. Time under the Speedy Trial Act was previously excluded through the December 1, 2025 trial date.

On October 21, 2025, Defendant Dillman filed a motion to continue the December 1, 2025 trial date due to lack of CJA funding. Dkt. 63. The government did not oppose the motion and instead sought the earliest reasonable trial date. Dkt. 64. The motion was set for a hearing on November 3, 2025.

**STIPULATION AND [PROPOSED] ORDER TO EXCLUDE TIME  
Case No. 23-CR-00140 RS**

On October 28, 2025, the Court ordered this case related to *United States v. David Mata*, 22-cr-00171-RS, and re-assigned the case to the Honorable Richard Seeborg. Dkt. 66. The Court vacated the November 3<sup>rd</sup> hearing and the December 1<sup>st</sup> trial date and set the matter for a status hearing on January 13, 2026. Dkt. 67.

The defense continues to prepare for trial in this matter. Time under the Speedy Trial Act was previously excluded through the December 1, 2025 trial date. The parties respectfully request and stipulate that time be excluded under the Speedy Trial Act from December 1, 2025, through January 13, 2026 in order to allow for the effective preparation of counsel. The parties agree that the ends of justice served by excluding the time through January 13, 2026 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

## IT IS SO STIPULATED.

DATED: October 29, 2025

*/s/ Christiaan Highsmith*  
CHRISTIAAN HIGHSMITH  
Assistant United States Attorney

DATED: October 29, 2025

/s/ Richard Tamor  
**RICHARD TAMOR**  
Counsel for Defendant Japheth Dillman

1 [PROPOSED] ORDER

2 Based upon the facts set forth in the stipulation and for good cause shown, the Court hereby  
3 orders that an exclusion of time is necessary to permit effective preparation of counsel. Failure to grant  
4 an exclusion of time would deny counsel the reasonable time necessary for effective preparation, taking  
5 into account the exercise of due diligence, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further  
6 finds that the ends of justice served by excluding the time from computation under the Speedy Trial Act  
7 outweigh the best interests of the public and the defendant in a speedy trial.

8 Therefore, IT IS HEREBY ORDERED that the time between and including December 1, 2025,  
9 to January 13, 2026, shall be excluded from computation under the Speedy Trial Act, pursuant to 18  
10 U.S.C. § 3161(h)(7)(A), (B)(ii), and (B)(iv).

11  
12 IT IS SO ORDERED.

13  
14 DATED: \_\_\_\_\_

15 HONORABLE RICHARD SEEBORG  
16 Chief United States District Judge